

SECTION 8 CHANGES IN EMPLOYMENT STATUS

8-1. Assignment within the Public Safety Service. An employee may be assigned for any reason by the Department Head at any time from one position to another position in the same or comparable class by giving notice of assignment to the employee and the Human Resources Director. Assignment shall not be used to effectuate a promotion or demotion, each of which may be accomplished only as provided in these Rules. No employee shall be assigned to a position for which the employee fails to meet the required employment standards.

An employee who is temporarily assigned to perform the function of a position of higher grade need not meet the minimum requirements of the position if the employee does not serve longer than six (6) months.

Upon approval of the Department Head, an employee may receive a temporary pay adjustment of up to the minimum of the higher grade or a 5% increase, whichever is greater, if the job classification difference is less than three (3) grades. A 10% increase may be given if the position classification is three (3) grades or higher. The temporary pay adjustment may be approved if the employee is acting in the higher position for 30 consecutive calendar days. The pay adjustment shall be effective and retroactive back to the date the employee started working out of classification.

8-2. Promotion. Changes in employment status as a result of promotion shall be made in accordance with the provision of Section 9.

8-3. Pre-Disciplinary Conference. When allegations of misconduct are made against an employee, a pre-disciplinary conference is held before a disciplinary decision is made, whereby the employee is given (1) written notice of charges being alleged; (2) an explanation of the evidence; and (3) the opportunity to present the employee's version of the facts surrounding the allegations and any and all information the employee wants the Department Head to consider before making a disciplinary decision. This process does not apply to employees on probation, since probationary employees are at-will.

8-4. Demotion. The Department Head may reduce the salary of an employee for cause within the range provided in the compensation plan or demote the employee. Such cause may be based upon facts justifying disciplinary action, violation of City policies, insufficient performance, or on facts which indicate that such action is in the best interest of the City. A written statement of the reasons for such action shall be furnished to the employee and a copy filed with the Human Resources Director. No demotion shall be used as a disciplinary action unless the employee demoted is eligible for employment in a lower class, and the demotion may not occur if such action would necessitate laying off any employee in the lower class. Any employee who is demoted may appeal as provided in Sections 10, 11, and 12.

8-5. **Suspension.** For disciplinary purposes, the Department Head may suspend an employee for cause without pay and for such length of time as the Department Head considers appropriate. Suspension orders of a less than two (2) days or sixteen (16) working hours is not appealable per Section 12. A suspension order which exceeds two (2) days or sixteen (16) working hours may be appealed as per Section 12. The Department Head shall provide the Human Resources Director with a written statement specifically setting forth reasons for the suspension and, upon request, a copy of that statement shall be furnished to the suspended employee. If the Personnel Advisory Board or Appeal Board overturn the suspension order on appeal, the employee shall be paid for the time off the job as if the suspension order had not occurred.